



## **STAFF REPORT**

### **ACTION ITEM**

Item # 11e

**SUBJECT:** Zoning District Use Changes Amendment

**DATE OF MEETING:** November 10, 2015

**STAFF CONTACT:** Daniel Galindo, AICP – Senior Planner;  
Patrick Sullivan, AICP CED – Director of Community  
Development

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#### **SUMMARY and RECOMMENDATIONS:**

The Planning Commission has concluded a three and a half (3 ½) year effort to review the lists of permitted uses and uses permitted by special use permit in every zoning district within the Purcellville Zoning Ordinance, and on September 17, the Commission voted to forward a proposed zoning text amendment to Town Council with a recommendation of approval. Council initially discussed the amendment on October 13 and conducted a public hearing on October 27. Since that time, staff has received 34 questions pertaining to the amendment which have been listed and answered in a matrix attached to this report.

#### **BACKGROUND:**

Since February 2012, the Planning Commission has been reviewing the lists of permitted uses and uses permitted by special use permit (SUPs) in every zoning district within the Purcellville Zoning Ordinance. This review resulted in a draft zoning text amendment which has been refined in response to the feedback received over the course of three (3) public input sessions held on July 7-9, an external legal review, and a public hearing before the Planning Commission on September 3 and 10. On September 17, the Planning Commission voted to forward the proposed zoning text amendment to the Town Council with a recommendation of approval which is now contained within Ordinance No. 15-11-01 (Attachment 1). The history of this project and the changes the Planning Commission made to the amendment throughout this process are detailed in the following documents:

- August 28, 2015 Staff Report to the Planning Commission
- September 15, 2015 Staff Report to the Planning Commission
- October 13, 2015 Staff Report to Town Council

**ISSUES:**

As Town Council has reviewed and discussed the amendment during the month of October, staff has received numerous questions pertaining to the amendment. The 34 questions received have been listed and answered in a matrix attached to this report (Attachment 2). In response to the issues raised, staff recommends three modifications to the amendment which are noted in #11, 13 and 14 of the matrix. In addition, the matrix includes various optional modifications to the amendment that can be made by Town Council should Council desire to address the issue raised by a particular question.

This has been a multi-year project that has resulted in the recommendation of a complex amendment covering 158 pages, and staff has attempted to provide the information necessary for Council to determine how the proposed amendment would change the zoning ordinance and affect current businesses and property owners. As this item is now listed for action, motions are provided below. Should Council desire to implement any modification to Ordinance No. 15-11-01 prior to its adoption, staff *strongly* recommends that a motion to make such modifications be in the form of directing staff to bring a revised ordinance back to a subsequent Council meeting for final adoption. This is requested due to the complexity of the lengthy ordinance; staff would prefer to ensure any modification is properly reflected throughout the entire document. For example, if a use is deleted from the use table, it may be referenced in numerous places throughout the ordinance which would all need to be deleted as well. Only the most simple and direct changes, such as changing the contents of a cell in the use table, would not likely require a comprehensive review of the ordinance by staff.

**BUDGET IMPACT:**

There is no budget impact with this item.

**MOTIONS:**

**1. Approval as Presented – Recommended by the Planning Commission**

I move that the Purcellville Town Council approve Ordinance No. 15-11-01, as recommended by the Planning Commission, because it will improve the zoning ordinance by:

1. creating an updated list of clearly defined uses;
2. removing duplicated uses and contradictory regulations;

3. ensuring uses which would require a special use permit have external effects warranting an increased level of review;
4. improving the organization of the lists of uses and use regulations;
5. ensuring the X Transitional District shall provide for the interim regulation of land annexed or brought in to the Town via boundary line adjustment;
6. improving cross-referencing;
7. correcting terminology; and
8. generally making the ordinance easier to read.

**-OR-**

**2. Direct Staff to Modify Ordinance – Requested by Mayor Fraser**

I move that the Purcellville Town Council direct staff to modify Ordinance No. 15-11-01 to remove all changes recommended by the Planning Commission except for the use table proposed for Article 4, Section 1 of the Zoning Ordinance which is to be filled with the various uses and the manner by which they are allowed in each of the Town's zoning districts as currently stated in the Zoning Ordinance.

I further move that the revised Ordinance No. 15-11-01 shall be brought back before Town Council at its December 8, 2015 meeting for review and final approval.

**-OR-**

**3. Direct Staff to Modify Ordinance**

I move that the Purcellville Town Council direct staff to modify Ordinance No. 15-11-01 in the following ways:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

I further move that the revised Ordinance No. 15-11-01 shall be brought back before Town Council at its December 8, 2015 meeting for review and final approval.

**-OR-**

**4. Disapproval**

I move that the Purcellville Town Council not approve Ordinance No. 15-11-01 for the following reasons:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

**ATTACHMENTS:**

1. Ordinance 15-11-01
2. Zoning District Use Changes Amendment – Matrix of Questions and Responses